

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

MAINE COMMUNITY)	
HEALTH OPTIONS,)	
)	
Plaintiff,)	
)	Case No. 20-458C
v.)	
)	Senior Judge Sweeney
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	
)	
)	
)	

JOINT STATUS REPORT

Pursuant to the Court's November 8, 2021 order (ECF No. 20), the parties respectfully submit this Joint Status Report. The November 8, 2021 order continued the stay in these proceedings and directed the parties to file a joint status report proposing further proceedings by January 4, 2022.

This case is currently stayed because the Government is working with a number of CSR plaintiffs to determine whether they may efficiently resolve this matter without further litigation or at least streamline these cases. On November 8, 2021, the Court continued the stay and ordered the parties to file a joint status report on or before January 4, 2022. ECF No. 20.

The parties request that the Court continue the stay in this case for 60 days to provide more time for the broader discussions about possible approaches to resolving this and other CSR cases. As the parties reported previously, counsel for a large number of plaintiff health plans shared a proposal with the Government on December 3, 2021. The Government is reviewing the proposal and consulting with the client agency and its actuaries. The Government hopes to provide Plaintiff

with a substantive response by late January. Plaintiff here has expressed a willingness to consider seriously the method, if any, that the Government is able to agree to with the other CSR plaintiffs for resolving or streamlining the CSR cases. The complexity of the CSR cases and the number of interested stakeholders necessitate that the parties be afforded additional time for these efforts. In addition, the parties here are discussing with each other and may present to the Court, other options to partially or fully resolve the remaining claims. Good cause therefore exists to continue the stay.

Accordingly, the parties jointly request that the Court continue the stay in this case for 60 days, until March 4, 2022, to file the next joint status report in which the parties will update the Court on the status of their efforts to fully resolve this matter.

Dated: January 4, 2022

Respectfully submitted,

s/ Stephen McBrady
Stephen McBrady
CROWELL & MORING LLP
1001 Pennsylvania Avenue, NW Washington, DC
20004
Telephone: (202) 624-2500
Facsimile: (202) 628-5116
SMcBrady@crowell.com

BRIAN M. BOYNTON
Acting Assistant Attorney General

PATRICIA M. McCARTHY
Director

s/Claudia Burke
CLAUDIA BURKE
Assistant Director

s/ Albert S. Iarossi
ALBERT S. IAROSSI
Trial Attorney
Civil Division
U.S. Department of Justice
P.O. Box 480
Ben Franklin Station
Washington, D.C. 20044
Telephone: (202) 616-3755
Email: Albert.S.Iarossi@usdoj.gov

OF COUNSEL:

CHRISTOPHER J. CARNEY

OF COUNSEL:

Daniel Wolff

Charles Baek

CROWELL & MORING LLP
1001 Pennsylvania Avenue, NW
Washington, DC 20004

Senior Litigation Counsel

ERIC E. LAUFGRABEN

Senior Trial Counsel

Counsel for Defendant

Counsel for Plaintiff